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PLEASE REPLY TO NEWARK

May 28, 2015

**VIA ECF**

Hon. A. Kathleen Tomlinson  
United States Magistrate Judge  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722-9014

**Re: *Jenkins v. Capital One, N.A.***  
**Civil Action No. 2:14-cv-5683-SJF-AKT**

Dear Magistrate Judge Tomlinson:

My firm represents defendant Capital One Bank (USA), N.A. (incorrectly pled as “Capital One, N.A.”) (hereinafter, “Capital One”) in the above-referenced action. I write pursuant to the Court’s Individual Rules of Practice to request that the Court extend the deadlines in the Case Management and Scheduling Order (D.E. No. 20) by sixty (60) days. This is Capital One’s first request for an extension of the pending deadlines, although I previously requested that the Court reschedule a Rule 16 Conference due to a conflict with a preexisting appearance (D.E. No. 18). Plaintiff Jarrett Jenkins (“Plaintiff”) has kindly consented to Capital One’s request.

The reason for the request is two-fold. First, Capital One recently requested that my firm substitute back in to the case after being represented by another firm for approximately one month. As a result of the two substitutions and the opening and closing of this case by the two firms, some time was lost that is necessary to complete discovery. In addition, my wife is scheduled for a medical procedure on Thursday, June 4, 2015, which will require a brief period of recovery during which the time I can devote to my case work will be somewhat limited.

**Podvey, Meanor, Catenacci, Hildner, Cocoziello & Chattman, P.C. | Counsellors at Law**

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\*W0475286.1



As a result, my client and I respectfully request that the Court extend all pending deadlines in the Scheduling Order by sixty days, subject to whichever adjustments Your Honor and Judge Feuerstein direct.

Respectfully submitted,

s/ Daniel Ginzburg

Daniel Ginzburg

Cc: Robert Jenkins (via e-mail and ECF)

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